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MEMORANDUM FOR: Chief, Budget and Accounts Branch, OTR

SUBJECT : Unliquidated Obligation Applicable to Lapsed Appropriation

REFERENCE : Memo dtd 3 July 74 to AD/L fm C/B&A/OTR, Same subject

1. The above reference, a copy of which was sent to the Real Estate and Construction Division, Office of Logistics, requested information on the validity of a \$110,000 obligation against a FY 1962 construction program at [REDACTED]

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2. Contacts with appropriate [REDACTED] personnel results in the conclusion that an [REDACTED] probably will not be submitted for payment.

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3. The contract resulted in litigation before the Armed Services Board of Contract Appeals, which found in favor of the contractor. The decision was reached in December of 1969. The judgement was for a total of \$110,000, \$51,750 of which was for liquidated damages.

4. It is reasonable to conclude that the \$110,000 was paid from unexpended and expired fiscal year funds. This conclusion is concurred in by the [REDACTED] liaison personnel. It is recommended that this no longer be considered a valid obligation.

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[REDACTED]  
Chief

Real Estate and Construction Division, OL

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OL/RECD/FEB/ [REDACTED] ab/3023 (22 July 74)

E. 2 IMPDET CL BY 029557

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